

and subsisting, paying, equipping, school of instruction for officers or enlisted men; providing for books and supplies; providing for necessary chemical assistance and labor in storage rooms, arsenals, armories, and headquarters; providing for transportation of stores and supplies and laundry and the care of uniforms and equipment, and for hire, purchase, transportation and subsistence of animals and for printing, stationery, postage, telephoning, telegraphing and for the purchase of stores, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HARLEY, Vice Chairman.

Committee Room,
Austin, Texas, April 26, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 11, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them as follows, to wit: University of Texas, Agricultural and Mechanical College, State Experimental Station, Prairie View Normal, College of Industrial Arts for Women, Sam Houston Normal Institute, North Texas Normal, Southwest Texas Normal School, West Texas Normal School and School of Mines at El Paso, East Texas Normal College, John Tarleton Agricultural College, and declaring an emergency."

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass, with the following committee amendment:

"For the erection of agricultural building, John Tarleton Agricultural College, Stephenville, Texas, \$50,000.00."

HUDSPETH, Chairman.

NINTH DAY.

Senate Chamber,
Austin, Texas,
Monday, April 30, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was

called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering their names:

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|---------------------|------------------|
| Bailey. | Johnson of Hall. |
| Bee. | King. |
| Buchanan of Scurry. | Lattimore. |
| Caldwell. | McCollum. |
| Dayton. | McNealus. |
| Dean. | Page. |
| Decherd. | Parr. |
| Floyd. | Robbins. |
| Gibson. | Smith. |
| Harley. | Strickland. |
| Henderson. | Suiter. |
| Hopkins. | Westbrook. |
| Hudspeth. | Woodward. |

Absent.

Clark.

Absent—Excused.

| | |
|-------------------|---------------------|
| Alderdice. | Hall. |
| Buchanan of Bell. | Johnston of Harris. |

Prayer by Rev. P. R. Knickerbocker of El Paso, Texas.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Excused.

Senator Buchanan of Bell for today and indefinitely, on account of important business, on motion of Senator Hopkins.

Petitions and Memorials.

See Appendix.

Committee Reports.

There were no committee reports today.

Bills and Resolutions.

By Senator Suiter:

S. B. No. 16, A bill to be entitled "An Act to authorize an extension of the contracts made with various book companies by the State of Texas to furnish school books for the public schools and which contracts terminate under the terms of the same on August 31, 1919, for a per-

iod of one year from that date; providing for said extension to be made by the Board of Education of the State of Texas on or before June 1, 1918; providing that the Attorney General shall examine and approve the contracts and bonds entered into by the companies as to their legality and binding effect; providing that each and every company which agrees to and enters into contract, for a period of one year, shall execute a good and sufficient bond in the same terms and upon the same conditions as the bonds heretofore made to the State, guaranteeing the performance of said contract, and creating an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Hudspeth:

S. B. No. 17, A bill to be entitled "An Act making appropriation to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them as follows, to wit: State Orphans Home, Confederate Home, Confederate Woman's Home, Epileptic Colony, Deaf, Dumb and Blind Institute for the Training of Juveniles, Tuberculosis Sanatorium at Carlsbad, State Lunatic Asylum, Southwestern Insane Asylum, North Texas Hospital for the Insane, Training School for Farm Colony for Feeble Minded, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hudspeth:

S. B. No. 18, A bill to be entitled "An Act to amend Chapter 15, Title 48 of the Revised Civil Statutes of the State of Texas by adding thereto Article 2815, to provide for the incorporation of the whole or any part of independent or common school districts into an independent school district constituted by an incorporated city or town, and providing for the assumption by such incorporated city or town of the whole or bonded indebtedness of such independent or common school district, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

Simple Resolution No. 23.

Whereas, the Hon. Tom W. Perkins, a former distinguished member

of this body, is in the city, therefore,

Be it resolved that he be invited to address the Senate and the privileges of the floor be extended to him.

WESTBROOK.

JOHNSON.

HUDSPETH.

The resolution was read and adopted.

Ex-Senator Perkins addressed the Senate briefly.

Simple Resolution No. 24.

Whereas, the loyal American citizens of New Braunfels have extended to the Senate of Texas an invitation to be present at their loyalty parade on May 2,

Therefore, be it resolved by the Senate that we, the Senate, accept the invitation.

HARLEY.

The resolution was read and adopted.

Message from the House.

Hall of the House of Representatives.
Austin, Texas, April 27, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 4, A bill to be entitled "An Act enlarging the Columbus Independent School District, in Colorado County, Texas, defining its boundaries as enlarged, etc., and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act extending the boundaries of the Rock Island Independent School District, enlarging the same and defining its boundaries, etc., and declaring an emergency."

Adopted:

S. C. R. No. 7, granting ninety days vacation to Hon. Frank S. Roberts of the Twenty-second Judicial District of the State of Texas.

H. C. R. No. 1, requesting the Interstate Commerce Commission to so amend their tariff rulings to permit any Texas shipper the privilege of a

maximum number of three stops for the purpose of unloading in transit fruits or vegetables destined to out of State points.

Respectfully,

ED GRAHAM,

Acting Chief Clerk, House of Representatives.

Senate Concurrent Resolution No. 8.

Whereas, Chapter 22 of the General Laws of the First Called Session of the Thirty-third Legislature provides that:

"Section 1. That it shall be unlawful for any regent or regents, director or directors, officer or officers, member or members, of any educational or eleemosynary institution of the State of Texas, to contract or provide for the erection or repair of any building, or other improvement or the purchase, of equipment or supplies of any kind whatsoever for any such institution, not authorized by specific legislative enactment, or by written direction of the Governor of this State acting under and consistent with the authority of existing laws, or to contract or create any indebtedness or deficiency in the name of or against this State, not specifically authorized by legislative enactment, or to divert any part of any fund provided by law to any other fund or purpose than that specifically named and designated in the legislative enactment, creating such fund or provided for in any appropriation bill.

"Sec. 2. That any and all contracts, debts or deficiencies created contrary to the provisions of this Act shall be wholly and totally void, and shall not be enforceable against this State.

"Sec. 3. That any regent, director, officer or member of any governing board of any educational or eleemosynary institution, who shall violate this Act shall be at once thereafter removed from his position with such institution, and shall not thereafter be eligible to hold said position, and in addition thereto shall be guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for a period or not less than ten days nor more than six months, the

venue of such case to be in the county in which may be located the institution affected by such acts of such offender," and,

Whereas, the Thirty-fourth Legislature appropriated \$300,000 with which to build and equip a general land office for the State of Texas, which said building was to be three stories in height, and,

Whereas, since the adjournment of the Thirty-fourth Legislature the persons in charge have decided that said building should be four stories in height instead of three stories as contemplated and have let a contract for a four story building and are now asking for an appropriation of \$90,000 to equip and furnish same, which said equipment should have come out of the \$300,000 first appropriated, and,

Whereas, the law above referred to has been ignored in this and many other instances and it is a common practice after the Legislature adjourns to create deficiencies for any amount desired, by building committees, heads of institutions and departments.

Therefore, be it resolved that we resent the intrusion upon the legislative branch of our government and that deficiencies should be created in cases of emergency only and that emergency means immediate necessity and something that cannot be postponed until the next session of the Legislature.

Be it further resolved, that the commercial world and contractors specially are hereby put on notice that hereafter the Legislature of the State of Texas will not approve or ratify such unwarranted expenditures which as a matter of right should and ought to be passed upon by the people's representatives.

STRICKLAND.

WESTBROOK.

The resolution was read and on motion of Senator Henderson the same was referred to the Committee on Finance with instructions to report same back to the Senate not later than tomorrow.

Morning call concluded.

Senate Bill No. 13.

The Chair laid before the Senate as a special order for this hour and on its second reading:

S. B. No. 13, A bill to be entitled "An Act to provide for the appointment of officers of the National Guard of Texas and prescribing their qualifications and tenure of office; providing for the term and requirements for enlistment and the qualifications of enlisted men of the National Guard of Texas, and to repeal Articles 5802 and 5804, Revised Civil Statutes, 1911, and all other laws and parts of laws in conflict herewith."

The bill was read second time April 26.

Senator Lattimore offered the following amendment:

Amend Senate Bill No. 13, Section 1 by striking out all after the word "positions" down to and including the word "years" and inserting in lieu thereof the following: "until other officers may be designated by the Governor to take their places or."

Senator Henderson offered the following substitute for the foregoing amendment:

Amend Section 1 by adding after the last word of said section the words "Provided that the provisions of this section shall not apply to officers of the line as to tenure of office, but that said officers of the line shall be appointed and commissioned by the Governor, at his discretion and none of said line officers shall be recognized as an officer, unless he shall have been duly commissioned and shall have taken the oath of office."

Pending.

Resolution Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after its caption had been read, the following resolution:

H. C. R. No. 1, referred to the Committee on Internal Improvements.

Adjournment.

At 12:20 o'clock p. m. on motion of Senator Hudspeth, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

A numerous signed petition from

Temple to Senator Buchanan of Bell, was offered urging economy in all appropriations and particularly opposing the appropriation for the Texas Rangers.

TENTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, May 1, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

By unanimous consent the Chair announced that the Senate would stand at ease for thirty minutes, at the expiration of which time the roll was called, a quorum being present, the following Senators answering to their names:

| | |
|---------------------|---------------------|
| Bailey. | Hudspeth. |
| Bee. | Johnson of Hall. |
| Buchanan of Scurry. | Johnston of Harris. |
| Caldwell. | King. |
| Clark. | Lattimore. |
| Dayton. | McCollum. |
| Dean. | McNealus. |
| Decherd. | Page. |
| Floyd. | Parr. |
| Gibson. | Smith. |
| Hall. | Strickland. |
| Harley. | Suiter. |
| Henderson. | Westbrook. |
| Hopkins. | Woodward. |

Absent.

Robbins.

Absent—Excused.

Alderdice. Buchanan of Bell.

(President Pro Tem. Suiter in the chair.)

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

(Lieutenant Governor Hobby in the chair.)

Petitions and Memorials.

See Appendix.

Committee Reports.

Senator Clark, as chairman of a special committee to dispose of the